

REMARKS/ARGUMENTS

The claims are 2-10. Claim 1 has been canceled in favor of new claim 10 to better define the invention. Accordingly, claims 2-4 and 6-9 which previously depended on claim 1 have been amended to depend on new claim 10. These claims, and claim 5, have also been amended to improve their form. Reconsideration is expressly requested.

Claims 1-9 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for the reasons set forth on page 2 of the Office Action. In response, Applicants have canceled claim 1 in favor of new claim 10 and have amended claims 2-9 to improve their form, which it is respectfully submitted overcomes

the Examiner's rejection under 35 U.S.C. 112, second paragraph.

Claims 1-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over WO 98/04384 in view of Wirz U.S. Patent No. 5,954,568. Essentially the Examiner's position was that WO '384 discloses the apparatus recited in the claims, except for a second carriage having a guide means that is angularly adjustable, that Wirz discloses this feature, and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide WO '384 with a second carriage having a guide means that is angularly adjustable as taught by Wirz in order to precisely align the grinding wheel relative to the ski edge for optimum machining.

This rejection is respectfully traversed.

As set forth in new claim 10, Applicants' invention provides apparatus for finishing a steel edge of a ski of a selected length. The apparatus includes at least one grinder, a setting carriage, a bearing block arranged on the setting carriage and rotatably mounting the at least one grinder, a transverse carriage movable transversely to a feed direction, a guide for the setting carriage rotatably mounted in the transverse carriage about a guide axis extending in the feed direction, a control device, and an adjusting device for adjusting angular position of the guide.

The at least one grinder includes a motor and a cup-shaped

grinding wheel driven by the motor, the grinding wheel having an axis of rotation extending transversely to the feed direction.

The bearing block forms a pendulum axis extending transversely to the feed direction and perpendicularly to the axis of rotation of the grinding wheel, and the setting carriage is guided on the guide. The adjusting device includes an adjusting drive adapted to be controlled by the control device in dependence upon position of grinding engagement of the grinding wheel in relation to the length of the ski.

In this way, Applicants' invention provides an apparatus for finishing a steel edge of a ski that enables the steel edges of the ski to be ground repeatedly so that advantageous gliding and guiding properties of the ski are obtained.

The primary reference WO '384 discloses an approach or setting carriage in which the grinding device, having a cup-shaped or pot-shaped grinding disk, is mounted to pivot freely about a swing axis, which runs crosswise to the advance direction and perpendicular to the axis of rotation of the grinding disk. The approach carriage is displaceable on a guide that is mounted to rotate about an axis that runs in the advance direction, and can be pivoted about this axis 18, which runs in the advance direction, between two contact positions, in order to be able to approach the grinding device to the lateral face surfaces of the steel edges 14 or to the machining surface of the steel edges 14 on the running surface side. FIG. 3 of WO '384 shows the contact position (contact 21) for machining of the machining surface of the lateral face surfaces, and FIG. 4 of WO '384 shows the

contact position (contact 22) for machining of the machining surface of the steel edges 14 of a ski, on the running surface side. There is no disclosure or suggestion of an adjusting device for adjusting angular position of the guide of the setting or approach carriage including an adjusting or setting drive that can be controlled using a control device, as a function of the position of grinding engagement of the grinding wheel in relation to the length of the ski as recited in Applicants' new claim 10 in order to change the approach angle of the grinding disk to the steel edge during machining of the steel edge, over the ski length, and thus to influence the guide behavior of the ski.

The secondary reference to *Wirz* relates to a state of the art of a different type. *Wirz* describes a method for profiling a

grinding screw. These cylindrical grinding screws serve for final machining of gear teeth on spur gears, which it is respectfully submitted has nothing to do with Applicants' apparatus as recited in new claim 10. After all, Applicants' apparatus as recited in new claim 10 is not concerned with dressing the cup-shaped grinding disk that is used, using a profiling tool, as *Wirz* is concerned with, but rather with grinding the steel edges of a ski, using a cup-shaped grinding disk, in reproducible manner, so that advantageous travel and guidance properties are obtained for the requirements, in each instance. It is respectfully submitted that *Wirz* cannot make any contribution towards accomplishing this task, without the use of hindsight and knowledge of Applicants' apparatus as recited in new claim 10.

It is respectfully submitted that it is incorrect to assess the prior art based on knowledge of Applicants' invention. Instead the question has to be asked whether a person skilled in the relevant art can obtain inspiration from the state of the art for solving the task to which Applicants' device is directed. It is respectfully submitted that *Wirz* cannot provide such inspiration because no free swing movement of the profiling tool can be permitted when dressing a grinding screw, whereas such movement is necessary in the case of the grinding wheel as recited in Applicants' new claim 10 in order to allow automatic adaptation of the cup-shaped grinding wheel to the progression of the steel edges.

The profiling tool for dressing a grinding screw, according to *Wirz*, must be guided in multiple axes, as can particularly be seen in FIG. 14 of *Wirz*. A cross carriage 36, 37 is provided, in order to allow movement in an X axis and a Y axis. A carriage 39, which is adjustable in height, and is supported on the carriage 37, forms the Z axis. The bearing block 40 for the profiling tool 10 can be rotated about this Z axis (axis of rotation 25). In addition, the profiling tool 10 of *Wirz* can be rotated in the bearing block 40, about the axis of rotation 42, which is oriented perpendicular to the axis of rotation 25, in order to adapt the profiling tool 10 to the incline of the screw thread of the grinding screw, for dressing the grinding screw. *Wirz*, therefore, merely describes a usual device having five axes, which it is respectfully submitted cannot form a model for

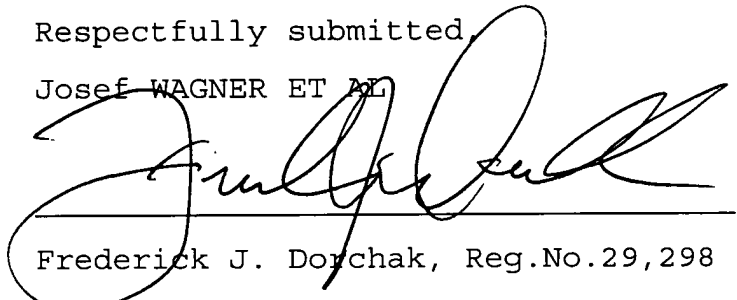
the solution which Applicants' apparatus as recited in new claim 10 has provided. After all, with Applicants' apparatus as recited in new claim 10, the approach or setting carriage is mounted so as to rotate or pivot. At most, the carriage 37, on the guide columns 38 of which the carriage 39 is displaced in terms of height in *Wirz*, can be equated with the guide carriage. There is no ability of this carriage 37 of *Wirz* to pivot about an axis that runs in the advance direction. Thus, it is respectfully submitted that nothing disclosed or suggested in *Wirz* can teach one skilled in the art to modify WO '384 in an effort to come up with Applicants' apparatus as recited in new claim 10.

Accordingly, it is respectfully submitted that new claim 10, together with claims 2-9 which depend directly or indirectly thereon, are patentable over the cited references.

In summary, claims 2-9 have been amended, claim 1 has been canceled, and new claim 10 has been added. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,

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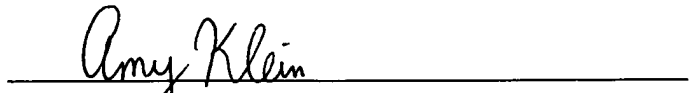
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